

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KEVIN D. HARDWICK,

Plaintiff,

Civil Action 2:18-cv-1185

v.

Judge Edmund A. Sargus, Jr.

3M COMPANY, *et al.*,

Magistrate Judge Elizabeth P. Deavers

Defendants.

ORDER

On April 22, 2021, Attorney Jessica A. Lopez, co-counsel for Defendant Archroma Management LLC, filed a Motion for Leave to Withdraw. (ECF No. 211.) Southern District of Ohio Local Civil Rule 83.4(c) governs the withdrawal of co-counsel and provides:

(d) **Co-Counsel.** Any attorney who has appeared in a case in any capacity other than as trial attorney is considered to be co-counsel for the party or parties on whose behalf the appearance has been entered. Co-counsel may withdraw by way of a notice of withdrawal signed by the withdrawing attorney and by the trial attorney for the party on whose behalf co-counsel has appeared. By signing such a notice, the trial attorney represents that the client has authorized the withdrawal. If the trial attorney is unwilling or unable to sign such a notice, co-counsel who wish to withdraw shall file a motion that complies with subsection (c)(2) of this Rule.¹

¹That subsection provides:

(2) **Motion.** A motion to withdraw shall meet the following requirements: (1) it must be served upon the client, and the certificate of service must so state; (2) it must assert that good cause, as defined by the Rules of Professional Conduct, exists to permit the withdrawal; and (3) it must be accompanied by an affidavit or other evidence supporting the assertion of good cause. If the evidence relied upon in support of the motion would be detrimental to the client's interest if disclosed to the other parties, the withdrawing attorney shall move for an order that the evidence be submitted *ex parte* and *in camera*.

S.D. Ohio Civ. R. 83.4(d). The current motion fails to comply with this Local Rule. Further, because it does not contain the trial attorney's signature, the Court will not construe it as a notice of withdrawal.

Accordingly, the Motion for Leave to Withdraw (ECF No. 211) is **DENIED** without prejudice to re-filing a motion or filing a notice that complies with the Court's Local Rules. In the interim, Attorney Jessica A. Lopez remains counsel of record for Defendant Archroma Management LLC.

IT IS SO ORDERED.

Date: April 23, 2021

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE